

FILED
HARRISBURG, PA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUL 07 2025

PER


DEPUTY CLERK

MARYANN BUTLER,
by Authorized Representative Audury Petie Davis,
Plaintiff,
v.

Civil Action No. 1:25-cv-00690

BROKER SOLUTIONS, INC.
d/b/a NEW AMERICAN FUNDING,
Defendant.

**EMERGENCY JUDICIAL NOTICE OF IMMINENT THIRD-PARTY HARM
AND REQUEST FOR IMMEDIATE RESPONSE ORDER**

Plaintiff, by and through her Authorized Representative, respectfully submits this Emergency Judicial Notice of Imminent Third-Party Harm and Request for Immediate Response Order. Plaintiff brings this request with full respect for the Court's time and discretion, and solely for the purpose of bringing to the Court's attention newly unfolding harm involving a third-party contractor. In the spirit of judicial economy and good faith, Plaintiff has narrowed this filing to a single focused request.

In support thereof, Plaintiff states the following:

1. On June 6, 2025, Defendant was formally served with the operative complaint and has since filed multiple procedural motions, including a request for extension, which the Court granted in abeyance. As of today, Defendant has not substantively answered any of the claims or factual allegations placed on the record.
2. Plaintiff acknowledges that she previously filed a Motion for Default Judgment, Emergency Addendum, and other related filings in response to Defendant's inaction and delay. However, in an effort to simplify the issues before the Court, Plaintiff hereby withdraws all prior pending motions for the limited and express purpose of requesting one narrowly tailored relief order.
3. Specifically, Plaintiff respectfully requests that the Court issue an order requiring Defendant to file a formal response to the existing case record within Three (3) days of the Court's order. This urgent request is made due to the emergence of imminent legal pressure from third-party contractor American Remodeling, who has issued certified pre-litigation debt demands against Plaintiff and her mother directly tied to the failed refinance process at issue in this case.
4. The financial and legal fallout from Defendant's conduct is no longer theoretical. Plaintiff has now received certified collection letters and faces potential legal action from a contractor who

entered a good faith agreement based on the reasonable expectation that the refinance would close.

5. The case record includes a USB drive previously submitted to the Court, containing email evidence, a voicemail recording, digital correspondence, and other documentation critical to understanding the misconduct at issue. That record is now unrefuted.

6. Attached hereto as Supplemental Exhibits:

- Supplemental Exhibit A – Certified demand letter from American Remodeling
- Supplemental Exhibit B – Combined Evidence of Financing Denial and Mitigation Efforts (includes Members 1st application, denial, HUD/Members 1st emails, and roofing contract)
- Supplemental Exhibit C – Plaintiff's email to American Remodeling disclosing pending litigation with Defendant

These supplemental exhibits are submitted in support of this specific emergency notice and do not duplicate or alter any previously submitted exhibits in the case record. They further demonstrate that Plaintiff acted in good faith, communicated transparently, and was directly harmed by Defendant's failure to close the refinance as promised.

7. Plaintiff is not seeking sanctions or dispositive relief through this filing and will address any contractor-related disputes independently if necessary. Plaintiff only asks that the Court consider this limited request in light of the real-time third-party harm now emerging. Respectfully, without timely response from the Defendant, the situation is likely to escalate outside this Court's current oversight. This notice is submitted with sincere appreciation for the Court's attention, and Plaintiff reserves the right to pursue further remedies should the record remain unaddressed.

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Issue an order requiring Defendant to respond to the full record within Three (3) days;
2. Accept this limited withdrawal of all pending motions solely for the purpose of obtaining timely relief;
3. Take judicial notice of Supplemental Exhibits A through C submitted with this filing as further evidence of imminent third-party legal exposure and good faith mitigation efforts.

Respectfully submitted,



Audury Petie Davis

Authorized Representative for Plaintiff Maryann Butler
2041 Greenwood Street
Harrisburg, PA 17104

Phone: 717-424-8220
Email: mfmallah87@icloud.com

Date: July 7, 2025

VERIFICATION

I, Audury Petie Davis, Authorized Representative for Plaintiff Maryann Butler, declare under penalty of perjury that the facts and statements made in the foregoing notice are true and correct to the best of my knowledge, information, and belief.

Executed on: July 7, 2025

Audury Petie Davis

Audury Petie Davis
Authorized Representative

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Judicial Notice of Imminent Third-Party Harm and attached Supplemental Exhibits A thru C was served upon the following counsel for Defendant via electronic mail and/or U.S. First-Class Mail on this 7th day of July, 2025:

James McNally, Esq.
jmcnally@cohenseglias.com

Audury Petie Davis

Audury Petie Davis
Authorized Representative

Cover Letter – Emergency Judicial Notice Filing

To: Clerk of Court
United States District Court
Middle District of Pennsylvania

From: Petie Davis (Authorized Representative for Plaintiff Maryann Butler)
Case No. 1:25-cv-690-PJC

Date: July 07, 2025

Subject: Submission of Emergency Judicial Notice and Supplemental Exhibits A-C

Dear Clerk of Court,

Please accept the enclosed filing titled “Emergency Judicial Notice of Imminent Third-Party Harm and Request for Immediate Response Order” for immediate docketing in the above-referenced matter. This filing is submitted in good faith to notify the Court of new, time-sensitive third-party legal threats stemming directly from the Defendant’s failure to close a federally backed refinance.

Enclosed with this Judicial Notice are the following supporting supplemental exhibits:

- Supplemental Exhibit A – Roofing Contract, Demand Letter, and Communications with American Remodeling
- Supplemental Exhibit B – Members 1st Financing Application, Denial, and FHA Transfer Efforts
- Supplemental Exhibit C – Litigation Disclosure Email to American Remodeling

These exhibits further substantiate the claims of third-party harm, economic fallout, and Defendant’s direct role in causing the refinance collapse. The Judicial Notice respectfully requests a 3-day response order to address the record before irreparable harm escalates.

Please file and circulate this Notice to the assigned Judge at the Court’s earliest convenience. A certificate of service is included in the filing.

Respectfully submitted,

Petie Davis
Authorized Representative for Plaintiff
717-424-8220
mfmallah87@icloud.com